RELATIONS BETWEEN UNITED STATES AND REPUBLIC OF COLOMBIA.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

REPORT BY THE SECRETARY OF STATE ON THE SUBJECT OF RELATIONS BETWEEN THE UNITED STATES AND THE REPUBLIC OF COLOMBIA.

MARCH 1, 1913.—Read, referred to the Committee on Foreign Affairs, and ordered to be printed.

To the Senate and the House of Representatives:

I transmit herewith for the information of the Congress a report made to me on February 20, 1913, by the Secretary of State, on the subject of relations between the United States and the Republic of Colombia.

WM. H. TAFT.

THE WHITE HOUSE,
Washington, March 1, 1913.

The PRESIDENT:

In the report which I had the honor to submit to you on May 17, 1912, and which was transmitted in your message of May 22, 1912, to the Senate in response to the Senate's resolution of March 1, 1912, requesting the transmission of correspondence with the Government of Colombia, I stated that the possibility of finding any reasonable means to put an end to the remaining ill feeling between the Republic of Colombia and the United States had, by your direction, long been the subject of study by the department. That study having culminated in the program approved by your letter of November 30, 1912, I deem it my duty now to report upon the outcome of the efforts which the department had made to carry out that program and thereby to replace the relations of the two countries in a state of cordial friendship and mutual confidence. That program was the result of

the exhaustive study and earnest endeavors which, by your direction, had engaged the attention of the department from the beginning of the administration, in accordance with your conviction and that of the department that, so far as consistent with the dignity and honor of the United States and with the principles of justice when applied to the true facts, no effort should be spared in seeking to restore American-Colombian relations to a footing of completely friendly feeling.

Before discussing the generous advances of this Government, which I regret have been, I think so mistakenly, rebuffed by the Government at Bogota, it will be convenient by way of recapitulation to sketch, in a measure, the antecedents of the recent attempts of the department to reach the hoped-for adjustment. Inasmuch, however, as the present report is not submitted with a view to its transmission to the Congress, nor intended as a complete survey of the very extensive and complex historical background of the subject, I shall endeavor to confine it within reasonable limits, which would not be possible if the vast amount of material on the subject now on file in the department were to be included or exhaustively summarized.

The necessity for some brief review of what had preceded is enhanced by the fact that the subject of arbitration, now again urged by Colombia, is intimately associated with political problems affecting the status of Panama, and the efforts of the Government of the United States to bring about an adjustment of concatenated questions in which, as a party directly interested because of its rights in regard to the Panama Canal, this Government is the more deeply concerned.

It seems obvious that, even assuming that any tangible issue for arbitration between the United States and Colombia could be made out, evidently no terms of arbitral submission could be entertained which might call in question the right of Panama to exist as a sovereign State.

At this point it should be recalled that Colombian proposals of arbitration, inadmissible for this and other reasons, have twice been rejected by this Government after full consideration by two former Secretaries of State, Mr. Hay and Mr. Root.

Mr. Hay, writing to Gen. Reyes on January 5, 1904, said:

> Entertaining these feelings, the Government of the United States would gladly exercise its good offices with the Republic of Panama, with a view to bringing about some arrangement on a fair and equitable basis. For the acceptance of your proposal of a resort to The Hague tribunal this Government perceives no occasion. Indeed, the questions presented in your "statement of grievances" are of a political nature such as nations of even the most advanced ideas as to international arbitration have not proposed to deal with by that process. Questions of foreign policy and of the recognition or nonrecognition of foreign States are of a purely political nature and do not fall within the domain of judicial decision; and upon these questions this Government has in the present paper defined its position.

Mr. Root, writing to a succeeding Colombian minister on February 10, 1906, said:

> The real gravamen of your complaint is this espousal of the cause of Panama by the people of the United States. No arbitration could deal with the real rights and wrongs of the parties concerned unless it were to pass upon the question whether the cause thus espoused was just—whether the people of Panama were exercising their just rights in declaring and maintaining their independence of Colombian rule.
>
> We assert and maintain the affirmative upon that question. We assert that the ancient State of Panama, independent in its origin and by nature and history a separate political community, was confederated with the other States of Colombia upon terms

which preserved and continued its separate sovereignty; that it never surrendered that sovereignty; that in the year 1885 the compact which bound it to the other States of Colombia was broken and terminated by Colombia, and the Isthmus was subjugated by force; that it was held under foreign domination to which it had never consented; and that it was justly entitled to assert its sovereignty and demand its independence from a rule which was unlawful, oppressive, and tyrannical. We can not ask the people of Panama to consent that this right of theirs, which is vital to their political existence, shall be submitted to the decision of any arbitrator. Nor are we willing to permit any arbitrator to determine the political policy of the United States in following its sense of right and justice by espousing the cause of this weak people against the stronger Government of Colombia, which had so long held them in unlawful subjection.

There is one other subject contained in your note which I can not permit to pass without notice. You repeat the charge that the Government of the United States took a collusive part in fomenting or inciting the uprising upon the Isthmus of Panama which ultimately resulted in the revolution. I regret that you should see fit to thus renew an aspersion upon the honor and good faith of the United States in the face of the positive and final denial of the fact contained in Mr. Hay's letter of January 5, 1904. You must be well aware that the universally recognized limitations upon the subjects proper for arbitration forbid that the United States should submit such a question to arbitration. In view of your own recognition of this established limitation, I have been unable to discover any justification for the renewal of this unfounded assertion.

It is important to note also that the Government of Colombia has never to this day presented anything even approaching a question justiciable by arbitration, it being a universally recognized principle that neither indefinite nor purely political matters are of a nature to be arbitrated.

It is perhaps useful to advert somewhat more to the background of previous events. On January 22, 1903, was signed at Washington the treaty between the United States and Colombia, known as the Hay-Herran treaty, for the construction of an interoceanic canal by the United States. This treaty, although essentially conforming to the proposals of Colombia, besides being eminently just and even generous, was enthusiastically welcomed by its direct beneficiaries, the people of the Panaman Isthmus. In Bogota it was coldly received. At the first signs of opposition in the Colombian Congress discontent and resentment were manifested in Panama. As the possibility of the treaty's being rejected at Bogota grew to a probability, the idea of regaining their historical autonomy awakened and became strong in the minds of Panamans. The contingency of secession was openly discussed and advocated. Months before the event the representatives of Panama in the Congress at Bogota raised their voices in unheeded warning. The certainty, which soon became evident, that the canal treaty would be rejected proved their warning true. The bloodless revolution of November 3, 1903, followed, with instant success. Within 48 hours from the proclamation of Panaman independence the last vestige of Colombian authority on the Isthmus had disappeared and the people of Panama, through the unanimous vote of their municipalities, had ratified the Republic.

Imbued with the inherited spirit of territorial nationality and the recollection of their ancient geographical entity, the keen interest of the Panaman people in the establishment of interoceanic transit through their territory is readily comprehensible and it is no cause for surprise that they were impatient of the obstacles set by the Government at Bogota, through its rejection of the Hay-Herran treaty, in the way of the accomplishment of the stupendous work of the canal. The feelings of the people of Panama were early shown

through the declaration made by their representative in the Colombian Congress and echoed by other farsighted members, that a failure to ratify the canal treaty would be followed immediately by a separatist revolution. It was a matter of common notoriety in the city of Bogota that such an outcome of the rejection of the treaty was inevitable. Although amply forewarned, the authorities at Bogota appear to have courted the impending result. The Colombian President contributed to bring it about by his amazing departure from the practice of nations in failing even to recommend for approval a treaty signed under the explicit direction of its President on behalf of the sovereign State by its empowered agent. In the light of the manifested spirit of the people of Panama, it is evidently quite superfluous to allege that this revolutionary sentiment was fomented by persons in the United States. Outside pressure, even by interested private parties, would seem to have been a work of supererogation, even if its existence were a fact. The separation became a patent certainty from the moment the Colombian executive and Congress foredoomed the treaty to failure.

The Government of the United States, being satisfied that a de facto government, republican in form and without substantial opposition from its own people, had been there established, extended its recognition to the new Republic of Panama on November 6, 1903. From almost the very day in November, 1903, that Panama regained the attribute of self-government which that State had possessed without question from the time of emancipation from Spanish domination to the time of its incorporation by conquest into the centralized Government of Colombia, the Government of the United States bent its earnest efforts toward effecting a just and practical settlement to which Panama, equally with the United States and Colombia, should be a party.

The earlier representations of the Colombian Government, after the recognition of the Republic of Panama and the conclusion of the canal treaty, did not urge arbitration, except by way of alternative submission of pending questions to an impartial court should a diplomatic arrangement not be feasible. These representations were made up of complaints and charges against the United States with imputation of violation of treaty and general bad faith. Colombia then insisted upon reparation being made by the Government of the United States. This is shown by the correspondence heretofore published.

As an element of the proposed negotiation for a conventional settlement a suggestion of arbitration was made which looked to "the settlement of the claims of a material order which either Colombia or Panama by mutual agreement may reasonably bring forward against the other as a consequence of facts preceding or following the declaration of independence of Panama." This proposition, as formulated, was favored by Secretary Hay, together with the proposal that a plebiscite should determine whether the people of the Isthmus preferred allegiance to the Republic of Panama or to the Republic of Colombia (Mr. Hay to Gen. Reyes, Jan. 13, 1904). Both these proposals were considered in the subsequent negotiations of the tripartite treaties, which aimed to settle all claims "of a material order" between Colombia and Panama and which were, in terms, largely

responsive to the Colombian demands in this regard; but the only subject to be submitted to arbitration under the abortive treaty between Colombia and Panama signed by Messrs. Cortes and Arosemena was the boundary line in the long-disputed district of Jurado. No provisions for a Panaman plebiscite appeared therein. Even that proposed alternative of arbitration thus disappeared when the parties to the controversy reached the conventional accord formulated in the tripartite treaties of January 9, 1909.

The negotiations of these treaties with the United States and Panama for the adjustment of all questions between the three parties were proposed by the Government of Colombia itself.

The negotiations stretched over a period of some three years, being interrupted from time to time by fresh demands on the part of Colombia and hampered in their course by what seemed a very inconsistent reversion of the Colombian plenipotentiaries of the time to attempt to create issues any bases for which had in effect been set aside by Colombia's own proposal to settle the material questions involved. On one occasion the obstructive tactics of the Colombian plenipotentiary were virtually disavowed by his recall and the substitution of another more in accord with the policies of his Government.

The issue had thus been early narrowed to the question of compensation for the losses and injuries pleaded by Colombia, and, it being undeniable that Colombia had suffered by failure to reap a share of the benefits of the canal, the Government of the United States was entirely willing to take this consideration into account, and to endeavor to accommodate the conflicting interests of the three parties by the conventional fixation of a just measure of compensation, in money or in material equivalence. Throughout the whole discussion the course of the United States was marked by kindly forbearance and equitable generosity. The result was the signature on January 9, 1909, of three treaties, one between the United States and the Republic of Colombia, one between the United States and the Republic of Panama, and one between Colombia and Panama, all three being interdependent, to stand or fall together. The treaties between the United States and the respective Republics of Colombia and of Panama received the advisory and consenting approval of the Senate on the respective dates of February 24 and March 3, 1909. That between Colombia and Panama was ratified by the Republic of Panama January 27, 1909, while the treaty with the United States was ratified by Panama three days later.

It seems unnecessary for the purposes of this report to narrate the elaborate negotiations which preceded the signature of the "tripartite" treaties. The Senate, in executive session, was apprised of the processes by which the conventional results were reached and the nature of those results is made apparent by the text of the three instruments. That their provisions sought to deal, adequately, justly, and in the only practical manner so far suggested, with the international problems growing out of the secession of Panama and out of the assumption by the United States of the great work of constructing the canal, would appear to be evident to the unprejudiced mind. The interests and honor of the three countries were, throughout the negotiation, jealously guarded by their respective plenipotentiaries, and their agreement on all vital points was a confirmatory safeguard.

Nevertheless, negotiated as these treaties were at the instance of Colombia, and framed as they were with every desire to accommodate their terms to the just expectations of Colombia; and although they were accepted by the Colombian cabinet, which made repeated efforts to bring about conditions favorable to their approval by the Congress, the treaties still remain unacted upon.

It thus remained for the Colombian Government to hold up the treaties, to propose the nullification of all the negotiations which had led up to their conclusion and which it had invited, and to suggest entrance upon new negotiations with the United States alone. This suggestion the United States then declined to accept, holding that the "tripartite" treaties must stand or fall together and that no such substitutionary arrangement could be considered without the harmonious agreement of all three parties. In the same attitude, the Colombian Government, without seeking the consent of the United States to enter, after these two rebuffs, upon a discussion of an entirely different character, sought to revert to its former proposal of some kind of settlement by arbitration.

The next proposal of Colombia, on January 5, 1910, was that the United States and Panama should agree to submit to a plebiscite the question of the separation of Panama with the promise that the interests of the United States in the Canal Zone should not be affected by the result. This proposal as made was considered intangible and impracticable, although, as late as March 26, 1910, it appears to have been the subject of an informal suggestion of the Colombian minister, coupled with the promise that if the vote should be unfavorable to the status of Panama the Government of Colombia would formally recognize the acts of Panama in the canal matter.

Again the suggestion of arbitration in somewhat more tangible form appears in the shape of a confidential memorandum, under date of November 30, 1910, expressing the view of Señor Olaya, the Colombian minister for foreign affairs, that, as the provision of Article XXXV of the treaty of 1846 in regard to the guarantee by the United States of Colombian sovereignty over the territory of the Isthmus was differently interpreted by the two Governments, the question whether the acts of the United States on the Isthmus in 1903 were not in harmony with the engagements of Article XXXV, appeared to be a judicial issue proper for arbitral determination. This informal suggestion appeared to involve proposals already rejected by Secretaries Hay and Root. It did not, moreover, materialize in a shape admitting of discussion, and was lost to sight when, about the same time, a new turn was given to the matter by the suggestion of the Colombian foreign office that, with a few changes ("more apparent than real") the treaties might be approved. No tangible proposal was offered, however, as to the changes desired, although it was intimated in January, 1911, that they might import confirmation of Colombia's claim to the ownership of the Panama Railway and of alleged rights and interests in any canal contract or concession granted by Colombia. This intimation, like others put forward during 1910, never reached the stage of diplomatic discussion.

Still another phase supervened when, on March 28, in view of the statement alleged to have been made by ex-President Roosevelt in an address delivered at Berkeley, Cal., on March 23, to the effect that "he took the Canal Zone," the Colombian minister, Señor Borda,

construing this reported utterance as an admission that his nation had been "gratuitously, profoundly, and unexpectedly offended and injured," demanded that the dignity and honor of Colombia should "receive satisfaction." No diplomatic discussion of this incident ensued.

At the end of May, 1911, Señor Borda took leave of the President, and returned to Colombia, being replaced by Gen. Pedro Nel Ospina, who presented his credentials May 31, 1911.

No record exists of any effort by this new minister of Colombia to reach an understanding in regard to the Panama controversy or the tripartite treaties until his note of November 25, 1911. In that note he recited "the utter unlikelihood" of a diplomatic settlement of the Panaman issues; characterized the attempt to regulate the situation by the direct agreement embodied in the tripartite treaties of 1909 as "most unfortunate," owing to the adverse sentiment of the Colombian people which had brought about the expatriation of the head of the Government and of the plenipotentiary (Señor Cortes) by whom they were signed; asserted that it had been demonstrated practically that the desired settlement of the existing differences could not be reached by direct agreement, and urged resort to the decision of an impartial tribunal as to the interpretation to be given to that part of the still existing treaty of 1846, by which the United States, in return for valuable concessions, assumed the obligations to guarantee to New Granada (now Colombia) "the rights of sovereignty and property which she has and possesses over the territory of the Isthmus of Panama."

In conformity with usage, it was to be expected that the envoy would follow up such a communication by seeking personal conference with the Secretary of State to clear the way for formal treatment of a proposal alike so important and so vaguely comprehensive. As a matter of course, and as a part of the public duty of his office, the Secretary of State was and is, at all times, ready to hold such conference with a foreign representative, knowing the advantage to both parties in such a case, of thoroughly understanding each other's views before their expression in official correspondence. Moreover, a just regard for the sensibilities of a nation with which this Government sincerely desires to maintain friendly intercourse naturally made the Secretary of State averse to making a categorical refusal of the proposition, while on the other hand the vagueness of the proposal, like the nature of some of its implications, forbade its academic discussion without a more distinct understanding of its true scope. Gen. Nel Ispina, however, held aloof from the Department of State.

Matters were in this posture when, on the eve of the departure of the Secretary of State on a mission of good will and earnest amity toward the several Republics of the Caribbean, a kindly personal intimation of the pleasure it would afford the Secretary to include Colombia in his itinerary was met by the assertion that such a visit would be "inopportune." Included in this reply to an urbane note were arguments and also accusations tending to impugn the honor and good faith of the United States. It is gratifying to know that this singular course of the minister was taken on his own initiative and was reprobated by his Government. The incident was not of international moment, but it was closed by the spontaneous recall of the envoy by his Government, leaving nothing in the path of that good

understanding which this country desires to maintain with its fellow Republic.

It is thus seen that the request of Colombia for arbitration has only recently advanced from the status of a suggested contingent alternative, as a resort in case of failure to attain a diplomatic adjustment, to that of a request predicated on the impossibility of such a direct settlement, an impossibility, if it be one, only because of the act of the Colombian Government in twice repudiating settlements already agreed upon on two occasions by the procedure usual in the intercourse of nations.

It is also to be seen that, while the request takes the same form as the earlier suggested contingent alternative and appears to confine the subject matter of arbitration to ascertainment of the true intent of an isolated clause of Article XXXV of the treaty of 1846, a decision in that regard would revive the old charges and bring them into the arbitral proceedings.

It does not seem timely or pertinent to the purposes of this message to discuss these charges, which were exhausted in the correspondence of 1904 and 1905, and which were necessarily laid aside when the two Governments entered upon negotiations for a friendly adjustment of their differences, with the result of agreement upon conventional terms of settlement. It suffices to say that the thirty-fifth article of the treaty of 1846 is necessarily to be construed as a whole, that the reciprocal obligations of the United States and Colombia were framed to enable this country to enjoy and maintain the enjoyment of the privileges of free uninterrupted isthmian transit, and that the transit was to be kept open by the United States upon occasion, free from disturbance from within or aggression from without. The stipulation which the Colombian Government isolates from its context and seeks to make the sole basis of its contention is in its essence a part of the rights reserved to the United States in order to secure to itself the tranquil and constant enjoyment of the advantages of the transit.

While it is styled as being in compensation for these advantages and in return for the general commercial privileges accorded by the convention, it is perfectly clear that, like the "perfect neutrality" of the Isthmus, the guarantee of the rights of sovereignty and property is to the end "that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists." And here it may not be out of place to observe that the neutrality of the Isthmus is not its international-law neutrality. The word neutrality has many meanings and shades of meaning besides its strictly technical sense of impartiality between alien belligerents, and is too often indefinitely or irrelevantly employed. In this instance, the obvious sense is that the territory covered by the transit is not to be allowed to become an arena of foreign assault or internal disturbance that may impair the tranquil enjoyment of its use. The United States has exercised the right to prevent such interruption in the past upon occasion, sometimes with the consent of Colombia, sometimes without it, sometimes at the request of Colombia herself in times of civil disturbance, and in the latter case not in fulfillment of any supposed duty to uphold the authority of the titular Government of the territory, but to prevent disorderly interference with the transit. Indeed, the very acts of the United States upon the Isthmus of which Colombia complained comport

fully with the right and duty of the United States under the treaty of 1846 to keep the line of transit free from the paralyzing disturbance of civil war, just as it would have been a right and duty to prevent its being a prey of alien rapacity in violation of the territorial rights of its own nationals.

When a new American minister, Mr. James T. Du Bois, was sent to Colombia, in the latter half of 1911, he was informed of the desire of the United States to find some means consistent with its dignity and honor whereby an end might be put to the ill-feeling of Colombia. The view of this Government that, as a condition precedent to any real hope of this desirable result, there should be some modification of attitude in the direction of reasonableness on the part of the Colombian Government was explained, and much time was given by Mr. Du Bois to a careful study of the relations between the two countries. In the summer of 1912 he returned from Bogota to confer with the Department of State as to how a just and fair settlement of our differences with Colombia could be reached.

A program having been evolved which was thought fully responsive to all the needs of the situation, as fresh evidence of the sincere desire of the United States to allay once for all the ill feeling existing in Colombia, the minister was given full instructions and proceeded to his post. In view of the experience of this Government in seeing adjustments carefully made twice shattered by the failure of their final acceptance at Bogota, it was felt that any fresh formal proposals should certainly emanate from the Colombian Government. The minister was therefore authorized simply to make known through informal and confidential conversations certain bases which, if reduced to the form of proposals made to the United States by the Government of Colombia, would receive sympathetic consideration by this Government as forming a practical means of complete adjustment of all existing differences with Colombia.

The program which the minister laid before the Colombian Government in the tentative and informal manner indicated comprised the following points:

(1) That if Colombia would ratify the Root-Cortes and Cortes-Arosemena treaties as they stood the United States would be willing to sign an additional convention paying to Colombia $10,000,000 for a permanent option for the construction of an interoceanic canal through Colombian territory and for the perpetual lease of the islands of St. Andrews and Old Providence. In the event that the Colombian Government felt that on account of their relationship with Panama there existed difficulties in which they might desire the assistance of the United States the minister was to intimate that there might be added a stipulation that the United States would be willing to use its good offices with the Government of Panama for the purpose of securing an amicable adjustment by arbitration or otherwise of the Colombia-Panama boundary dispute and of any other matters pending between the two countries. Again, if such a proposal by Colombia seemed impossible the minister was instructed to intimate that in addition to the foregoing the Government of the United States would be willing to conclude with Colombia a convention submitting to arbitration the question of the ownership of the reversionary rights in the Panama Railway, which the Colombian Govern-

ment asserts that it possesses, and looking to proper indemnity should the Colombian contention be sustained.

(2) In the event that the Colombian Government should be strongly averse to making a proposal involving the ratification of the Cortes-Arosemena treaty with Panama, then the minister was to intimate that this Government would be willing to consider the foregoing proposal, even with certain amendments. These amendments were to be: First, the addition of a protocol whereby the United States would undertake to use its good offices on behalf of Colombia in the adjustment of boundary questions between it and Panama; and, second, a convention whereby the Root-Cortes treaty between Colombia and the United States should be amended to the extent of eliminating its interdependence upon the Cortes-Arosemena treaty while preserving to Colombia the important advantages it would give that country in reference to the use of the Panama Canal—one effect of this charge being that Colombia would have either definitively to forego the payment of $2,500,000 to be made it under the original tripartite arrangement, or at least to forego such payment until such future time, if ever, when the Colombian Government might find it convenient to ratify the Cortes-Arosemena treaty.

The minister returned to Bogota on January 15, 1913, and at once proceeded to carry out his instructions.

The foregoing constituted the complete program of the extreme limits to which, in the judgment of the department, the Government of the United States would be justified, from any point of view, in going in the rather extraordinary efforts thus undertaken to eliminate once for all all causes of friction, whether justified or not, between the two countries.

The lease of Colombia's rights in two small Caribbean Islands was included as a possible safeguard in the matter of canal defense and for the purpose, regardful of Colombia's dignity, of clothing the discussion with a larger aspect of mutuality of consideration. The option for an interoceanic canal through Colombian territory where there has been, from time to time, recrudescent discussion of such a possible canal project in the Atrato region was introduced in accordance with the same policy which actuated the Government of the United States in encouraging the recent convention with Nicaragua, although the probability of such an undertaking in that region is regarded as far more remote than is true with reference to the Nicaraguan route. In pursuance of the same broad policy of setting at rest once for all all talk of any rival interoceanic canal not controlled by the United States, the department was convinced of the desirability of such a convention, which, like the lease of the islands above mentioned, offered further opportunity to give semblance of consideration for the payment proposed.

The remainder of the program is quite simple and offers to give to Colombia all the advantages given by the tripartite treaties and in a manner most considerate of the present Colombian feeling toward the Republic of Panama, while, at the same time, as is of paramount necessity, jealously guarding the fixed rights and interests of the United States, which, of course, could not be permitted to be called in question.

On January 20, Mr. Du Bois had a preliminary conversation with the President of Colombia and informally discussed with him the first alternative of the program, viz, that including the ratification

by Colombia of the tripartite treaties. He was informed by the President that he could not and would not consent to recommend to the Colombian Congress ratification of the Arosemena-Cortes treaty. In reply to an inquiry from the minister whether he should proceed to offer the second alternative, he was informed by the Secretary of State that he could do so if and when he was absolutely satisfied that the decision of the Colombian President was final, it being understood that the United States could not consider any other or further concession than indicated in the second form of the program.

The minister then proceeded further with his conversations, and on January 27, 1913, telegraphed to the Secretary of State that the proposition for the perpetual lease of the islands of Old Providence and St. Andrews was embarrassing to the Colombian Government, being regarded as practically a sale of the islands, which could not be ratified. Inquiry was made by the minister for his information and guidance whether a liberal option for coaling, airship, and wireless stations on one or both of the islands, together with a 60-year option on the Atrato Canal route would be acceptable to the United States. The minister in reply was cautioned to avoid making any proposals, which should logically come from the Government of Colombia, but was informed that if he could assure the Department of State that that Government would accept and the Colombian Congress ratify the agreement, without seeking any additional concessions, should this Government be willing to accept coaling stations instead of the perpetual lease of the islands, the proposal would be considered. With respect to placing a time limit on the canal-route option he was instructed that he should discourage positively any thought on the part of Colombia that a 60-year term would be acceptable if the United States were to pay any such figure as was named in his instructions.

The next information received from the minister was contained in a telegram, dated January 31, 1913, and was to the effect that the Colombian Government seemed determined to treat with the incoming Democratic administration.

These friendly, considerate, and conciliatory efforts to put the relations between the United States and Colombia on a more cordial basis having thus failed, the minister at Bogota was instructed by telegraph on February 7, 1913, to drop the matter after communicating to the Colombian President a personal note as follows:

> Although your excellency will doubtless appreciate that those intimations which I have been able to give of the nature of a proposal which, if made by Colombia, would be considered by my Government naturally had reference only to the time at which I had the honor to make them, nevertheless, in order to avoid even a remote possibility of misunderstanding, I am directed to make it entirely clear to your excellency that nothing which has transpired in these purely personal and informal conversations is to be regarded as any indication of what may be the future disposition of the Government of the United States or as committing my Government in any respect whatever, my efforts to arrive at some definite conclusion having, to my regret, come to naught.

The minister has informed the department that after final discussion he has presented a note in the above sense.

The most recent telegrams from the minister show that quite aside from his instructions and acting upon his personal responsibility, Mr. Du Bois, as a matter of curiosity, sounded the Colombian Government still further in order to elicit a clearer idea of its pretentions. It was intimated to the minister that if the Colombian Government would make proposals in accordance with his informal suggestions a revolution would, in its opinion, result.

Continuing in his evident personal desire to sound, if possible, the limits of Colombian pretentions, the minister also inquired whether an offer of $10,000,000 without the considerations which had been suggested would be acceptable. To this he was informed that it would not; that all his suggestions fell short by far of what Colombia could accept. To his inquiry, what terms Colombia would accept, the reply was: "The arbitration of the whole Panama question or a direct proposition from the United States to compensate Colombia for all the moral, physical, and financial losses sustained by it because of the separation of Panama." This, it was intimated, was the last word of the Colombian Government.

The very latest telegram from Mr. Du Bois shows that in a subsequent interview he took it upon himself informally to ask whether if the United States should, without requesting options or privileges of any kind, offer Colombia $25,000,000, its good offices with Panama, the arbitration of the question of reversionary rights in the Panama Railway, and preferential rights of the canal, the Government would accept; to which he was answered in the negative.

Included in this most recent telegraphic correspondence is a statement of the impression of the legation at Bogota that the Colombian Government cherishes the expectation that the incoming administration will arbitrate the entire Panama question, or will directly compensate Colombia for the value of the territory of Panama, the Panama Railway, the railroad annuities, and the contract with the French Canal Co.

I merely mention the results of these personal inquiries made by Mr. Du Bois, as I have said, in his personal capacity and without any authority, because they throw so much light upon the Colombian obsession with regard to this whole subject. This attitude resulting in the rebuff of generous overtures by the United States is undoubtedly due in a great measure to a radical misconception of real public opinion in the United States, engendered probably by reiterated criticism in certain uninformed quarters leveled at the policy of this Government at the very time it was bending every effort to adjust its relations with Colombia and required for such adjustment an atmosphere of calm instead of one of captious attack and unreasoning encouragement of an arbitrary attitude on the part of the foreign country with which it was dealing.

Feeling that this Government has made every effort consistent with the honor, dignity, and interests of the United States in its sincere aim to bring about a state of better feeling on the part of the Government of Colombia, it is with regret that I have to report that these efforts are thus far still met by a desire for impossible arbitrations, and so have proved unavailing unless, indeed, they may yet prove fruitful in the course of time of a more reasonable and friendly attitude on the part of Colombia.

Meanwhile, the Government of Colombia would appear to have closed the door to any further overtures on the part of the United States.

Respectfully submitted.

P. C. Knox.

Department of State,
Washington, February 20, 1913.

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